

### REMARKS

Currently pending in this application are claims 1-77 and 90-107. Claims 78-89 were previously withdrawn without prejudice. Claims 90-107 are new. Independent claims 1 and 32, and dependent claim 6, have been amended. Applicants request entry of this Amendment and reconsideration of claims 1-77 and 90-107 in view of the Remarks set forth here.

The Examiner rejected claims 1-17, 21-58 and 62-76 under 35 U.S.C. 103 as being unpatentable over DaGraca (US 6,646,676) in view of Brodsky (US 6,731,805). Applicant respectfully requests reconsideration of this rejection. Applicant submits that claims 1-17, 21-58 and 62-76 are allowable over the combination of DeGraca '676 and Brodsky '805 for, at least, the following reasons.

First, Claim 1 has been amended and specifies:

if the prioritized signal meets a threshold value indicating modification of the original original scene, transmitting the prioritized signal to a receiving station located on a network, the transmitted prioritized signal including an image component, the image component including the subsequent scene.

DeGraca '676 clearly does not disclose, teach or suggest this limitation. Neither Brodsky '805 nor any other reference cures this deficiency of DeGraca '676. Accordingly, claim 1 is allowable. Claims 2-31 and 59-75, which are dependent upon claim 1, are allowable because claim 1 is allowable, and further in view of the additional subject matter specified therein.

Second, in the alternative, Applicant respectfully submits that DeGraca '676 clearly does not disclose, teach or suggest a method including the step of:

generating from the collected data motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time;

as specified in claim 1. Neither Brodsky '805 nor any other reference cures this deficiency of DeGraca '676. Accordingly, claim 1 is allowable. Claims 2-31 and 59-75, which are dependent upon claim 1, are allowable because claim 1 is allowable, and further in view of the additional subject matter specified therein.

As previously explained by the Applicant, DeGraca '676 clearly teaches away from a step including generating motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time. In the present application, motion histogram values suitable for graphically depicting scene changes over time are generated in order to enable an operator to view graphical depictions indicating motion, and to view the transmitted scene as deemed necessary. However, one purpose of the system disclosed by DeGraca '676 is to provide automatic security event detection relying upon automatic processing of the audio-visual information acquired by the camera (DeGraca '676, col. 11, lines 21-27). Therefore, DeGraca '676 teaches away from generating motion histogram values suitable for graphically depicting magnitude of sensed scene changes over time. Brodsky '805 clearly does not cure this deficiency of DeGraca '676.

Brodsky '805 cannot be combined with DeGraca '676, because there is no suggestion to combine the teachings of DeGraca '676 and Brodsky '805 as suggested by the Examiner, except by using the present application as a template through hindsight reconstruction of applicant's claims. One of ordinary skill in the art would not have reasonably looked to DeGraca '676 or Brodsky '805 to solve problems unmentioned by either reference. As described in detail in the preceding paragraph, DeGraca '676 discloses automatic processing of audio-visual information acquired by a camera, so there is no motivation for one of ordinary skill to introduce a human operator for viewing graphical depictions which indicate motion. Thus, even having DeGraca '676 in hand, one would not seek to combine it with Brodsky '805 or, for that matter, to utilize human operators instead of automatic processing.

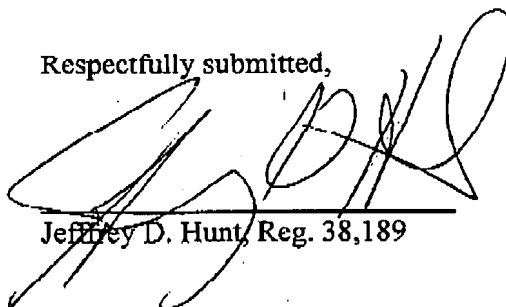
For the foregoing reasons, claims 1-77 are allowable.

Claims 18-20 and 77 were rejected under 35 U.S.C. 103 as being unpatentable over DaGraca (US 6,646,676) in view of Brodsky (US 6,731,805) as applied to claims 1-4, 14 and 16 in view of Kohno US 2003/0048356A1. Applicant respectfully requests reconsideration of this rejection. Applicant respectfully submits that claims 18-20 and 77 are dependent upon independent claims 1 and 32 and are allowable over the combination of DeGraca '676, Brodsky '805 and Kohno for the same reasons set forth above. Claims 18-20 and 77 are also allowable in view of the additional subject matter specified therein.

Additionally, because DeGraca '676 teaches an automatic system and thus teaches away from using human operators to review displayed data, one of skill in the art would not be motivated either to (i) consult DeGraca '676 in order to address a problem which presumably was solved by DeGraca '676 teaching an automatic system; or (ii) combine any other reference with DeGraca '676 in relation to a system involving human operators. Certainly there is no suggestion in DeGraca '676, Brodsky '805 or Kohno to consult or combine the teachings of the other references, and the Examiner has not set forth more than a very general rationale to suggest that one skilled in the art would consider combining them. Certainly, the Examiner has not provided the necessary specific argument or specific reasoning why one of skill in the art would combine the teachings of these three references. And, even if the references could be combined as generally suggested by the Examiner, it is unclear to Applicant whether such a combination would be functional.

The Remarks set forth above are believed to place the application in condition for allowance. Accordingly, in view of the foregoing Remarks, Applicant requests allowance of claims 1-77 and new claims 90-77. Applicant respectfully submits that the Examiner can contact the undersigned to resolve any remaining matter by Examiner's Amendment, if possible. The Commissioner is hereby authorized to withdraw, or credit, any unpaid fee(s) associated with this Response from Deposit Account No. 50-4128.

Respectfully submitted,



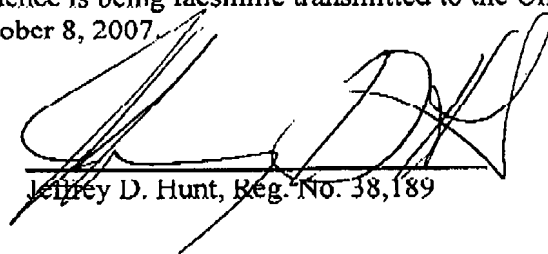
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### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on October 8, 2007.



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